

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

GARRY L. KITTLE, JR.,

Petitioner,

CASE NO. 2:06-cv-566

JUDGE MARBLEY

MAGISTRATE JUDGE KING

v.

MARK SAUNDERS, Warden,

Respondent.

OPINION AND ORDER

On January 22, 2007, the Magistrate Judge issued a *Report and Recommendation* recommending that the instant petition for a writ of habeas corpus pursuant to 28 U.S.C. §2254 be dismissed. Petitioner has filed objections to the Magistrate Judge's *Report and Recommendation*. Doc. No. 11. Petitioner objects to all of the Magistrate Judge's recommendations. Petitioner again asserts that he was denied the effective assistance of counsel and raises the same arguments that were previously presented.

Pursuant to 28 U.S.C. 636(b)(1), this Court has conducted a *de novo* review of those portions of the *Report and Recommendation* objected to by petitioner. This Court has carefully reviewed the entire record. For the reasons detailed by the Magistrate Judge, petitioner's objections are **OVERRULED**. The *Report and Recommendation* is **ADOPTED** and **AFFIRMED**. This action is hereby **DISMISSED**.

IT IS SO ORDERED.

s/Algenon L. Marbley
ALGENON L. MARBLEY
United States District Judge